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**WEARE BOARD OF SELECTMEN
MEETING MINUTES
September 8, 2008**

PRESENT: TOM CLOW, CHAIRMAN; WENDY CLARK, VICE CHAIRMAN; HELEEN KURK, SELECTMAN; RICHARD W. BUTT, SELECTMAN; KEITH R. LACASSE, SELECTMAN

TOWN ADMINISTRATOR: Fred Ventresco

RECORDING SECRETARY: Cherry Palmisano

GUESTS: Sherry Burdick, George Malette, Steve Najjar, Donna Osborne, Jon Osborne, Chief Begin, Jim Carney, Bill Duffy, Carl Knapp, Chief Richards

7:00 p.m. Chairman Clow called the meeting to order.

Mr. Bill Duffy, Weare Police Association, told the Board he hopes they can all come up with a set schedule to meet with the Board. Mr. Duffy is also the School Resource Officer. Chairman Clow said they didn't realize at the last meeting that they were on a time crunch and apologized for the confusion.

PUBLIC COMMENT – Mr. Steve Najjar told the Board he would like to speak about the situation on Pond View Road. The portion of Pond View Road in question is a private road, behind Mt. William Pond. Mr. Najjar said there is an ordinance stating that you can't build on a class 6 road without a variance. Mr. Najjar said an agent went into the ZBA to request a variance and was denied in early 2007. Another representative land owner went to the ZBA in October and the ZBA decided to allow it in as a new case because there was new evidence that it is a class 6 road. The argument was not validated because it is a private road. The variance contains conditions that are unattainable, talks about upgrading the road; the road has no landowner association. Mr. Najjar feels if they let this person obtain the variance it could open it up to others. To him his understanding of building on a class 6 road is that the BOS has to grant the permit under statute. This variance is to build on a class 6 road but Pond View is a private road so the conditions cannot be met. He would like the Selectman not to issue the Building Permit. He feels if the Board approves the permit then the town should maintain the road up to that house. He thinks it is ridiculous of ZBA to tell them to upgrade the road with no written standard. Mr. Najjar does not understand how the whole thing was allowed. Selectman Butt thought any individual can appeal within a certain timeframe. Mr. Najjar said the timeframe is 1 month and he just found out about the case. He feels the variance does not apply. Selectman Butt feels there is a timeframe from when a decision is made to grant a permit. Chairman Clow is unsure of how long. Mr. Najjar said there was no permit granted, just a variance. Chairman Clow said he did look this up.

Selectman Kurk asked if Mr. Najjar spoke with ZBA about the information provided being false. Mr. Najjar said ZBA took the land owners word for it and did not verify. Mr. Najjar said the BOS should ask council for advice in this situation. Mr. Najjar said no permit has been issued yet, but the land is being surveyed. Selectman Lacasse asked about ramifications. Mr. Najjar said the road is much narrower than a class 5 road and there is no homeowners association to maintain the road; which could lead to more development and more traffic and accidents in the winter. There are maintenance and safety issues with the road. Chairman Clow said to clarify, this original decision by ZBA was denied based on the fact it was a private road, then the new owner with a

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different representative went before ZBA and asked them to reconsider because they had a deed which showed it was a class 6 road.

Mr. Carl Knapp said there was some confusion between landowner representation and ZBA because if you read the deed you could think it was up the hill but the measurements actually go around a turnaround and then the full length of other side of road. Mr. Knapp said the pavement is shorter than what the deed states and states that a portion of the turnaround is what the town maintains. Selectman Butt asked for clarification for the Board to be able to grant building permit on class 6 road. Chairman Clow said Mr. Najjar contacted him on this issue and he did look it up and it says that the Building Officer would have to get approval from the Board of Selectman. Selectman Kurk said the confusion is it is a private road not a class 6 road. Mr. Najjar said the variance was denied and never should have been allowed to be heard again then granted. Mr. Najjar said if you look at the conditions of what the ZBA states in the variance it does state a class 6 road and said it is not valid. Mr. Fred Ventresco said this should be brought back to the ZBA because they are unaware of the situation. Selectman Kurk agrees. Chairman Clow said he wonders if they would need to have a surveyor review the deed; not that he doubts the measurements made by Mr. Knapp. Vice Chairman Clark said if the deed is specific enough she wouldn't want the Board to spend the money on legal fees. Chairman Clow said the cost could be born by the landowner. Selectman Lacasse asked how far from the town road the driveway would be. Mr. Najjar said 400-500 ft. Mr. Najjar said it takes a hard turn at that point and is the worst part of the road. Mr. Najjar would like to ask that the Board not approve the permit if it is applied for. Selectman Butt said they should inform the homeowner of the issues and agree to bring this back to the ZBA. Mr. Najjar said the ZBA granted a variance for something non existent. Selectman Butt said at least no building has been done. Mr. Ventresco will contact ZBA.

Mr. George Malette asked the Board if the letter that was sent out last week to inform people of no longer sending out the draft meeting minutes is going to be reconsidered by the Board. Chairman Clow said they will clarify this under other business. Chairman Clow said when they discussed this he was voting under the assumption that the final minutes will be sent out via email and some are faxed to individuals. Chairman Clow said it takes very little time to send out an email but faxing takes too much time. Chairman Clow said there have been other things mentioned to speed up the process. Mr. Malette said the Right to Know law does clearly define draft meetings as needing to be available to the public. Mr. Malette said if he was not receiving the draft minutes then he would not be aware of the changes. Mr. Malette said he does not have time during the day to come to the office to get a copy of the minutes and feels emailing is a good form of communication.

Mr. Malette said he would like a copy of the email policy and purchasing policy in attached form via email which he requested back on August 4, 2008. Mr. Ventresco told Mr. Malette to come to him directly and he will get him the information. Mr. Malette said when he put this request in it was to tell the Board whenever they make changes or additions to policies to get them to committee chairs and department heads. Mr. Malette commented that Mr. Ventresco said all committee chairs were given a new copy of the purchasing policy but Mr. Malette said no committee chair brought the information forward to their committees.

DEPARTMENT HEADS – Mr. Knapp informed the Board of the new hours for the Transfer Station which he discussed with his employees. Mr. Knapp said they considered the public's needs while discussing the hours.

Tuesday, Wednesday, Friday and Saturday: 7:30-4:30 9 hours a day 4 days a week

The gates will be closed at 4:30 pm; however staff will remain until 5:00 pm giving them 9 hours per day for each of the four days. The staff will also work on Thursday from 8:00 to 12:00.

Selectman Kurk asked how this time change would affect the commercial haulers. Mr. Knapp said he does not think it will affect too many haulers. Mr. Knapp hopes these hours service the public. They cannot stay open later any day of the week during the fall and winter hours because they do not have lighting. Chairman Clow

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said during the winter months not having the lights is a safety issue. Mr. Knapp said the equipment the employees use mostly have lights so they will be able to work until 5:00. Mr. Knapp did sit down with the staff to come up with these hours collectively. Selectman Butt asked about summer hours for the Highway Department. Mr. Knapp said 6:30 to 5:00. Selectman Butt asked if when Mr. Knapp needs to utilize someone from the Highway Department will they still get their hours in. Selectman Lacasse asked about Thursday 8-noon and if the employees will be able to keep busy during this time when the Transfer Station is closed. Mr. Knapp said they have tried many different hours and the input he has received was that the inconsistency of the hours confuses people. Mr. Knapp does not think they should make the days any shorter; people mostly complained about closing too early. They would like to start these hours on October 7th. Selectman Lacasse wants to know what happens if someone was to show up at the gate at 4:31 will there be a leeway in the closing time by a few minutes. Chairman Clow said a complaint made was that the attendant was not actually polite with him. Mr. Knapp said when a place of business closes at a certain time that is the time it closes. Selectman Lacasse asked that the attendants be a little flexible and use discretion. Selectman Kurk feels when the gate is closed it is closed. Mr. Jon Osborne, Manager of the Transfer Station, said at least 3 times a week he sets his watch by the time clock and when his clock says 3:00 he goes down to close the gate and when he closes both gates the station is closed, if half the gate is open then they can come in. Mr. Osborne said he never shuts the gate in front of anyone.

Selectman Lacasse moved, Selectman Kurk seconded to accept the proposed Transfer Station Hours effective Tuesday, October 7, 2008. Passed 5-0-0

Mr. Knapp said the new hours will be posted immediately everywhere possible.

Mr. Knapp reminded the Board that at the last meeting he informed them about the Legislature sending information about the free tire day. Mr. Knapp said there is other mechanism it is RSA 261:153 which was established in 1989 to create a fund to dispose of resident's automobile related waste, to charge a disposal fee on every registration. Mr. Knapp feels the way they do it now is more than fair; they charge \$2.00 for the disposal of automobile tires. Vice Chairman Clark said to leave it the way it is. The free tire disposal day from the Legislature is recommended not mandated.

Chief Richards spoke about the proposals previous brought before the Board regarding the garage doors at the Safety Complex. Chief Richards said he contacted Ron Westcott about the price on the door. It was discussed there are no problems with the track or the opener. Now they need to figure out if it is ok to move forward and how it will be paid for. Mr. Ventresco said it will come out of the Building Maintenance Fund. The cost will be \$2,350 to replace the door with a like door and replace the springs and hardware. Selectman Butt said they discussed the thought to replace the door with a better door. Chief Richards said if they keep the door maintained then it should be fine. The Building Committee has been there to check out the doors. The doors will be the same quality. Chief Richards said Ron Westcott said the same door would be fine once repaired. Mr. Ventresco asked if Ron Westcott gave him a break down on the estimate. Selectman Butt would like to hear from the Building Committee. Selectman Kurk said when she went and toured the Safety Complex, she was told the doors were not right for the building. Chief Richards said it was the weather proofing that caused problems. Chief Richards said Ron Westcott also suggested replacing the broken panels. Selectman Kurk asked how long this fix will last. Chief Richards said those doors have been there 5 years. Selectman Lacasse said 5 years is not very long for a doors life. Chief Richards said he is comfortable with Ron Westcott putting it new springs and hardware. Chairman Clow understands the hardware breaking and asked how the door got damaged. Chief Richards said when the hardware let go and the door slammed down and broke. Selectman Lacasse asked about the price of a new commercial door. Chief Richards said since the doors had new weather stripping installed the snow does not come in.

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Ms. Sherry Burdick, Building Committee, said they heard the Fire Department was unhappy with the doors and Chief Richards was going to get quotes on replacing the doors. Ms. Burdick said they have not heard anything since.

Selectman Butt asked if the Board of Fire Wards has made a recommendation. Chief Richards said they would like to see it fixed. Selectman Butt asked if the Board of Fire Wards approved purchasing a new door. Chief Richards said he got the pricing information after their meeting. Selectman Lacasse remembers the price for new commercial doors being similar to this price to repair. Selectman Kurk asked if this should go to the Board of Fire Wards before coming to the BOS. Chief Richards said not necessarily. Chief Richards said Tombs Door has specked a 2 inch door for \$2,096 and then the opener is \$600. The doors at the Safety Complex now have a 2 inch track. Vice Chairman Clark said the doors have been an issue since the Safety Complex was built, since the door came crashing down and needs to be fixed, she would rather replace it with a quality commercial door and does not think this is the right fix. Selectman Kurk would like to see conversation between Chief Richards and the Building Committee to see if they can agree on safety issues and then speak to Mr. Ventresco to move forward. Chairman Clow said the bid specs from the state show a bid spec for a much heavier door. Chief Richards said the tracks are heavier. Selectman Butt is disappointed that this issue still hasn't been resolved and feels it would be easier to get manufacturers in there and give presentations on what needs to be done. Selectman Lacasse feels they can use the spec to send out to bid. Chairman Clow said they need to use the specs so they know they are comparing like doors. Selectman Kurk said everything should be worked out with the Fire Department, Building Committee and Mr. Ventresco. Selectman Butt would like the Building Committee to make a recommendation. Chief Richards commented that the Board of Fire Wards only meets once a month. Mr. Ventresco said he thought this was already going to be done. Mr. Ventresco said maybe they need to hire a designer to see what kind of door would be appropriate for the building. Selectman Lacasse would be willing to look at the doors and bring forth a recommendation to the Building Committee. Chief Richards said those bids specs are for a building that stores vehicles in it in New England.

Chairman Clow said they need to leave with a plan. Chairman Clow said the understanding is that Selectman Lacasse will bring his recommendation to the Building Committees meeting Tuesday night and in no more than 4 weeks they will have specific bids to review and make a final decision. Mr. Ventresco said Selectman Lacasse will get specs to the Building Committee for tomorrow's meeting. Mr. Ventresco will send out the specs recommended by the Building Committee and send them out for bid. Mr. Ventresco said he will send the specs to specific vendors. The purchasing policy said it needs to be advertised but Mr. Ventresco said the Board has discretion over advertising. Chief Richards said they called several vendors and those are the only vendors who responded. Selectman Butt said they could bid this single door and then when other doors need to be replaced then can do a formal bid process. Vice Chairman Clark said when they say going out to bid they do try to stay within local businesses but still get the best value for the town. It was discussed advertising could be done on the website. The purchasing policy states anything above \$5,000 needs to go out to bid.

Mr. Ron Westcott said that door needs 5 sections and he replaced all the chains on the door. Mr. Westcott said something happened to that door; the only reason a door loses a cable is because something must have been blocking the bottom of the door. Mr. Westcott said there is no drop feature that works on that door. Selectman Lacasse asked about a rolling door instead of a sectioned door. Mr. Westcott said the R factor would be 4 and still have a drop factor. Mr. Westcott said to replace the 5 sections that were damaged and have to buy sections from original manufacturer, other than those 5 sections that is what the door needs. Mr. Westcott said the town could keep the other sections that were not damaged and extra springs for spare parts. Selectman Kurk asked if doing it the way he said how long will the door last. Mr. Westcott said the door need to be serviced a couple times a year, even can't tell the life of a spring and cables doors will typically go 10-15 years. Mr. Westcott said Overhead Door did a very nice job hanging the doors; some of the issues were installation issues and engineering plays a part. Selectman Butt asked if these doors were installed at similar facilities. Mr. Westcott

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said yes. Selectman Kurk asked Mr. Westcott if money wasn't an issue what would kind of door would he have put there. Mr. Westcott said he would have put insulated glass in them and he wouldn't have put the doors going so far up into the wall.

Chief Richards reminded the Board about the need to replace the fire pond fence on Pine Hill that the Fire Engineer told them had to be replaced. It was discussed the money will come from the Cistern Fund; there is money in the account. Chief Richards will get the information to Mr. Ventresco as soon as he can.

Chairman Clow moved, Vice Chairman Clark seconded to enter into non public session at 8:30 under RSA 91-A:3, II (a) and (c). A roll call vote was taken, Selectman Butt – yes, Vice Chairman Clark – yes, Selectman Kurk – yes, Selectman Lacasse – yes, Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Selectman Kurk seconded to come out of non public at 9:50 p.m. A roll call vote was taken, Selectman Butt – yes, Vice Chairman Clark – yes, Selectman Kurk – yes, Selectman Lacasse – yes, Chairman Clow – yes. Passed 5-0-0

Motion was made to seal and restrict the minutes of the non public session. Passed 5-0-0

APPOINTEES FOR SCENIC BYWAYS COUNCIL FOR SNPC – The scenic Byway Council shall be made up of 1 member from the following boards/committees: BOS, Planning Board, Historical Society, Economic Development/Chamber of Commerce and Town Official or Administrator. It was discussed that Sherry Burdick will fill the role of the Historical Society member; George Malette will fill the role of the Planning Board member. Selectman Butt said there are specific requirements and they should target the members of the committees mentioned. Vice Chairman Clark asked what happens if they do not get other volunteers. Selectman Butt is concerned about this council voting and having adequate representation. Mr. Malette said the group would meet quarterly. Mr. Ventresco will be willing to serve. Selectman Kurk will fill the position from the Economic Development. Vice Chairman Clark will fill the position of the Selectman.

Chairman Clow moved to appointment the following people to the John Stark Scenic Byway Council, Wendy Clark/BOS, George Malette/Planning Board, Sherry Burdick/Historical, Heleen Kurk/Economic Development and Fred Ventresco as Town Administrator. Passed 5-0-0

MEETING MINUTES

Chairman Clow moved, Vice Chairman Clark seconded to approve the minutes of August 18, 2008 as amended. Passed 5-0-0

Chairman Clow moved, Selectman Kurk seconded to approve the minutes of October 25, 2008 as amended. Passed 3-0-2

Chairman Clow moved, Selectman Kurk seconded to accept the minutes of the Manifest meeting on the morning of Tuesday, September 2, 2008. Passed 3-0-2

Chairman Clow moved, Selectman Kurk seconded to accept the minutes of the public hearing on the evening of September 2, 2008. Passed 5-0-0

MANIFESTS

Chairman Clow moved, Selectman Kurk seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer or Deputy Treasurer to sign checks dated September 11, 2008. Passed 5-0-0

Accounts payable	\$41,145.46
Forest Fire Payroll	\$157.11
Monthly Fire Payroll	\$3,667.85
Gross Payrolls	<u>\$48,514.41</u>
Total	\$93,484.83

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DISCUSSION OF WARRANT ARTICLE DESIGNATING GRAVEL PIT REGULATOR – Chairman Clow said they did have some discussion on this subject before but he had asked that it be tabled.

Chairman Clow moved, Selectman Kurk seconded to create a warrant article that would move the regulator of the gravel pits to the Planning Board. Failed 2-3-0

Chairman Clow said his reasoning is to pass the responsibility of the regulator to the Planning Board is that he feels they do not have time to do this justice. The Planning Board meets twice a month, one meeting is devoted to recommendations of ordinance changes and the second is a regular hearing of Planning Board. Chairman Clow thinks the Planning Board could do it justice. Selectman Kurk said over the years the BOS has delegated some of the responsibility to Land Use where documents are located, Planning Board deals with Land Use and they are very familiar with site plans and are informed of changes. The BOS has a large variety of things to deal with so it makes sense to have people educated with land use be the regulators. Selectman Kurk said she made a phone call to SNHPC to find out how many towns have their BOS as regulators, she did not get a number but was told most towns that do have BOS as the regulator don't have a Planning Board. Selectman Lacasse is not in favor of having the Planning Board be the regulators and feels they are elected and the responsibility should lay with them. Selectman Lacasse said he read the Earth Products Ordinance and said he is not a specialist but understands the requirements. Selectman Kurk said certain decisions have been made by the BOS that may have not followed statute and feels the Planning Board is less likely to make that mistake.

Selectman Butt said they are primarily dealing with businesses and cannot look at the Land Use Department as being separated from the BOS. Selectman Butt feels the Land Use Department is available to the BOS to share their expertise and there are experts who supply information to the Planning Board who can also supply information to the BOS. Selectman Butt feels they are elected officials and feels these businesses deserve the highest of concern. Selectman Butt said the Planning Board has not dealt with these issues since 1988 and the BOS has dealt with this issue in the past. He also does not get the sense that the Planning Board wants this responsibility and does not feel it should leave the BOS's responsibility. Vice Chairman Clark said she feels she does not know enough about it and if the responsibility stays here she feels it is important they have work sessions to get a handle on it.

Chairman Clow said he does not disagree with the responsibility, the BOS has issues to deal with and it is difficult to get through their agenda including, personnel policy revision, job descriptions need to be brought forth and approved, salary structure and the budget which consumes their time for 3 months of the year. He sees this as another item that if done correctly will take regular learning, revision and review of ordinances or regulations, he would like to see it in the hands of the Planning Board. Selectman Butt said when talking about this coming up every month, regulatory aspects is to make sure they have people to go out and inspect on a regular basis, regulations would be written by an attorney. Selectman Butt feels there is a perception that the Planning Board is anti business and this involves businesses and feels the responsibility should lie in the BOS hands. Selectman Butt feels they can do their job and feels they have a good set of regulations that can be changed. Selectman Butt does not think they will be working on these every month, just every 3 years, depends on how the pits are monitored. Selectman Kurk said an engineer is needed to inspect. Selectman Butt feels it has been this way for 20 years and does not know what went wrong; it is speculation as to whether the Planning Board would have done a better job. Selectman Kurk wonders why Weare is so unique to have it at the BOS level and not at the Planning Board level. Chairman Clow said the status of planning has increased in time and could have been in the thinking of the time. Selectman Butt does not see any benefit in changing, he sees a down side. Selectman Kurk said the attorney feels it is better to reside at the Planning Board level. Selectman Butt said he would support the decision made.

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DISCUSSION OF WARRANT ARTICLE TO CHANGE GRAVEL PIT ORDINANCE TO REGULATIONS – Selectman Kurk said a regulation can be changed by the BOS and an ordinance requires a Town Vote for a change. Selectman Kurk mentioned the Earth Products Ordinance and said it states adoption by the BOS. Selectman Kurk said the original ordinance, article 25, passed by the town and was amended in 1976, 1977, 1978, and 1979 and then amended in 1987, 1988, 1990 and 1992 at a BOS meetings and public hearings. Selectman Lacasse asked if the BOS has the authority to change it. Selectman Kurk said it seems to her it has to go back to the town to ask to have it changed. Selectman Kurk said they need to get advice from the attorney and Bill Drescher is working on this and they are sharing the cost with New Boston. Chairman Clow asked if they want to bring it before the voters to change the ordinance to a regulation. Selectman Butt wants to know if they can require that they cannot change the regulation without a public hearing. Selectman Kurk said from notes she has gotten in 2000 it was worked on by 2 pit owners, conservation people, Mr. Ferrante and a resident of River Road.

Chairman Clow moved, Vice Chairman Clark seconded to create a warrant article to change gravel pit ordinance to regulation. Passed 5-0-0

MOUNTAIN ROAD CULVERT REQUEST FROM PSNH AND RESIDENTS – Mr. Ventresco said Mr. Dave LaPlante from PSNH sent a letter to the land owner informing them that PSNH could repair the culvert upon approval by the town by letter of authorization. Mr. Ventresco said PSNH is willing to front the cost of the repair of this culvert; they need approval from the town to do so. Chairman Clow said Steve Najjar emailed him regarding the Historical Stone Culverts Protection Act. Vice Chairman Clark said if they do send a letter it needs to state that the town takes no financial responsibility. Chairman Clow said one concern they heard several times was vehicles going through the water. Chairman Clow suggests that they say go ahead providing the Conservation Commission is involved. Selectman Butt asked about requiring them to get a higher level of approval. Selectman Kurk would like to hear from the Conservation Commission that it does not deal with them. Chairman Clow said when they walked that road; Andy from the Conservation Commission was on the walk. Chairman Clow said this was an area where they discussed this culvert in depth, it involves wildlife and he can't imagine why there would be an objection to the repair. Mr. Ventresco said DES is waiting for authorization from the town. It was discussed that the BOS makes the final decision and the Conservation Commission is an advisory committee. Mr. Ventresco said he did not run this by legal yet. Mr. Ventresco said if DES approved it then they are environmentally clean. Vice Chairman Clark said because of the natural habitat, plastic would not create the same natural effect. Mr. Ventresco said before anything is done they need to make sure this is not private land. Mr. Ventresco said he checked on the status of the road, it is town road.

Chairman Clow moved, Selectman Lacasse seconded that they give PSNH permission to repair the stone culvert providing they have permission from the property owner if it is on private land and providing they meet all DES requirements and any other legal requirements. Passed 4-1-0

Mr. Ventresco will get this information to the Conservation Commission. Chairman Clow said if all the laws are followed there is no harm.

LEGISLATIVE POLICY RECOMMENDATIONS FOR LGC REQUEST

General Government Revenue and Intergovernmental Relations

1. Municipal Participation in Retirement Issues - yes
2. Public Notice Requirements - yes
3. Right To Know Costs And Specificity Required - yes
4. Highway Fund - no
5. Charitable Definition and Mandated Property Tax Exemptions -
6. Municipal Use Of Structures in the Right-of-Way -

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7. Local Ordinances Governing Right-of-Way - no
8. Downshifting of State Costs - yes
9. Binding Arbitration - no
10. Telephone Company Property Tax Exemption - no
11. State Revenue Structure and State Education Funding - no
12. Land Use Compliance by Government Entities - yes
13. Utility Appraisal Method - yes
14. Minimum Vote Required for Bond Issues - yes
15. Mandated Employee Benefits - no
16. Late Filing of Utility Change Report - yes
17. Underground Utilities - yes

Municipal Administration and Finance Management

1. Assessing Practices - yes
2. Extended Lease of Municipal - yes
3. Bond Recession Process - yes
4. Electronic Payments - yes
5. Tax Liening Mandatory - no
6. Welfare Lien Priority - yes
7. Terms of Appointed Officials - yes
8. Supplemental Budget Hearings - yes
9. Special Meetings for Zoning Amendments - yes
10. Solid Waste Revolving Fund - yes
11. Governing Body Recommendation for all Warrant Articles - yes
12. Supervisors of Checklist Sessions - yes
13. Tax Bill Information - yes
14. Affordable Housing - no
15. Appointment of Town Clerks and Town Clerk/Tax Collectors - yes
16. Bond Ballot Voting - yes
17. Municipal Recreation Programs - yes
18. Housing and Conservation Planning Program - yes

Planning and Environmental Quality

1. Use and Area Variances - yes
2. Penalties for Land Use Violations - yes
3. Election or Appointment of ZBA Member - yes
4. Environmental Regulation and Preemption - yes
5. Exemption from Land Use Change Tax - yes
6. OBD Testing - yes
7. Impact Fees for State Highways - no
8. Planning Board Appeals - yes
9. Affordable Housing - yes
10. Energy, Renewable Energy and Energy Conservation- no
11. Open Space Retention/Sprawl Prevention/Housing and Conservation Planning - no
12. Sludge/Biosolids - yes
13. Current Use - yes

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14. Conservation Investment - no

ADMINISTRATIVE REPORT – Mr. Ventresco wants to make sure the BOS is all right with receiving budgets October 15. Chairman Clow asked if that date is all right with department heads. Mr. Ventresco said departments are already working on their budgets. Chairman Clow said last year they gave a % increase number and the department heads complained, and they should have. Chairman Clow asked what they are going to do for salary increases. Mr. Ventresco said in the past they decided on the whole budget and then at the end did the increases. Selectman Kurk feels they need to discuss which way they need to go. Mr. Ventresco said it would be good to give them guidance now. Vice Chairman Clark said their budget is what they need to take out of it and not include the wages. Chairman Clow said even if the department heads create their budgets without salary increases they still have the option to fold the increases in the budgets. Chairman Clow said last year they ran into the Fire Department raises being left in the budget with their 2.5% increases. Selectman Butt asked to clarify if it was included in their budget. Vice Chairman Clark said yes, but they did not know. Selectman Butt said it was mentioned by the Finance Committee years ago they support raises in the proposed and in the default, they support it but could not approve it because they had nothing contractual. Selectman Butt said he is really concerned about the default budget. Selectman Butt wants department heads to mark what is necessary in their budget to be in the default budget as well. Chairman Clow said they did make a lot of progress last year over the year before. It was discussed tires are needed in the default. Selectman Butt said they need to define if something is not funded, inform tax payers of the effect of not having the item/service. Selectman Butt said voters need to know if they vote this way this is what they don't get/ or get.

Chairman Clow said the budget being prepared will be done without wage increases and even though there is not a dictate of the percentage of increase common sense needs to be used.

Mr. Ventresco said he brought forth a request from a former employee about their 457 account. Mr. Ventresco said in doing research he found out that the town did not contribute any money to the account; all a deduction from the persons earned wages. The town needs to turn this account over to the former employee.

Mr. Ventresco asked the Board about what they would like him to do about locking in a rate for heating fuel. Mr. Ventresco said he has a price of around \$3.50 per gallon and wants to know if he should lock in that price. Mr. Ventresco said they were on rack last year and the price fluctuated. Selectman Lacasse said they should go with rack price. They utilized about 5,600 gallons last year for the buildings that use #2 heating fuel. Mr. Ventresco will continue to gather prices. He did a formal bid procedure and received 2 back. The Board agreed to ride it out a little more. If a great deal comes up, Mr. Ventresco will contact Chairman Clow.

OTHER BUSINESS – Chairman Clow said when they discussed the issue with emailing and faxing draft minutes they did not have a full board present. Selectman Lacasse would like to know the reasoning behind not sending out the draft minutes via email. Selectman Butt does not know how it happened but the list has increased drastically and he is concerned about people not getting the final version of the minutes. Selectman Butt said the question is do you provide the draft minutes to that number of people. Selectman Kurk said it was not clear to her that if you wanted to still receive the minutes you need to contact Merry Rice. Mr. Ventresco said the last decision was to ask people if they still want to be on the mailing list. They are no longer faxing. Mr. Ventresco said people want to still receive the draft minutes via email. Selectman Kurk and Chairman Clow said they should send out the draft version of the minutes as well as the final version. Mr. Ventresco said in discussing this with other towns, they post their minutes of their town websites. Chairman Clow said to put the drafts minutes on the website in PDF form. Selectman Kurk said if they post on the website and state the draft is available and when the final version is available it will be replaced.

It was discussed to put the minutes on the website as discussed and email the draft and then the final version as well and ask people in the email if they still want to receive the minutes via email. Chairman Clow said they are

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going to reinstate the emailing of draft minutes and post them on the website and then email finalized minutes as soon as they are approved by the Board. There will be no faxing.

Mr. Ventresco said the Board had expressed concern that there are 2 people going to be involved in the Police Contract process and the Board should meet to discuss concerns. Mr. Ventresco said he is supposed to get back to the negotiators regarding scheduling. Mr. Ventresco said the negotiator wants to meet with the 2 members of the team before they begin negotiations. Chairman Clow said when they meet on the 15th they will discuss this further.

ADJOURNMENT at 12:08 a.m.

A True Record.

Cherry Palmisano, Recording Secretary